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16 Attorneys for Defendants, Spencer Gifts, LLC, Spencer Gifts Holding, LLC, and Spencer Gifts
17 Online, LLC.

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19 IN THE UNITED STATES DISTRICT COURT
20 SOUTHERN DISTRICT OF CALIFORNIA

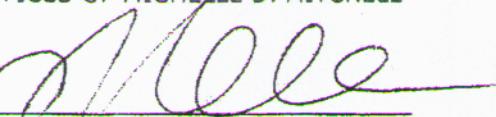
21 TUNI & G, a California General Partnership,) Case No.: 08-CV-0410-BMT (JMA)
22 Plaintiff,) The Honorable Jan M. Adler
23) United States Magistrate Judge
24) Courtroom 1165
25)
26 vs.) JOINT MOTION FOR DISMISSAL WITH
27) PREJUDICE
28 SPENCER GIFTS, LLC, a Delaware Limited)
Liability Company; et al.,)
Defendants,)
SPENCER GIFTS, LLC, a Delaware Limited)
Liability Company; et al.,)
Counter-Claimants,)
TUNI & G, a California General Partnership,)
et al.,)
Counter-Defendants,)

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30 IT IS HEREBY STIPULATED by and between the parties, through their attorneys of
record, that:

1. Plaintiff TUNI & G, a California General Partnership, hereby dismisses its
2. Complaint against Defendants Spencer Gifts, LLC, a Delaware Limited Liability
3. Company, Spencer Gifts Holding, LLC, a Delaware Limited Liability Company
4. and Spencer Gifts Online, LLC, a Delaware Limited Liability Company, with
5. prejudice.
6. Counter-Claimants Spencer Gifts, LLC, a Delaware Limited Liability Company,
7. Spencer Gifts Holding, LLC, a Delaware Limited Liability Company and
8. Spencer Gifts Online, LLC, a Delaware Limited Liability Company hereby
9. dismiss their Counterclaim against Counter-Defendants, with prejudice.
10. All parties shall bear their own attorney's fees and costs.
11. This court shall retain jurisdiction in order to enforce the settlement and
12. release agreement between the parties.

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14 Dated: July 29, 2008

LAW OFFICES OF MICHELLE D. MITCHELL

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16 By: 

17 MICHELLE D. MITCHELL
18 Attorneys for Defendants and Counter-
19 Claimants.

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21 Dated: July 31, 2008

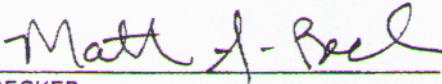
ECKERT SEAMANS CHERIN & MELLOTT, LLC

22 By: 

23 ROBERTA JACOBS-MEADWAY
24 Attorneys for Defendants and Counter-
25 Claimants.

26
27 Dated: July 31, 2008

28 THE LAW OFFICE OF MATTHEW A. BECKER, PC

29 By: 

30 MATTHEW A. BECKER
31 Attorneys for Plaintiff and Counter-
32 Defendants.